

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE:

NILAM V PATEL

Case No. 19-16366-mdc
Chapter 13

Wells Fargo Bank, N.A.,
Movant

vs.

NILAM V PATEL,
Debtor

**CONDITIONAL NON-OPPOSITION RESPONSE TO EXPEDITED MOTION TO
SELL REAL PROPERTY FREE AND CLEAR OF LIENS AND
ENCUMBRANCES**

COMES NOW, Wells Fargo Bank, N.A. ("Respondent"), by and through its undersigned counsel, and hereby responds to Debtor's Expedited Motion For Authority To Sell Real Property (Doc. 48) filed on February 10, 2022 and in support thereof, shows unto the Court as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Respondent does not have information necessary to admit or deny the averment in

Paragraph 4. Strict proof is demanded at trial.

5. Admitted according to the Sales Agreement filed.
6. Admitted.
7. Admitted according to the Sales Agreement filed.

8. No Response necessary.

9. Respondent does not have information necessary to admit or deny the averment in Paragraph 9. Strict proof is demanded at trial.

10. Respondent is the first mortgage lien on the property with the loan number ending in 6677. Respondent is in the process of providing debtor with a payoff.

11. Respondent does not have information necessary to admit or deny the averment in Paragraph 11. Strict proof is demanded at trial

WHEREFORE, Respondent objects to any Order permitting sale of the property without the following:

- a. Respondent's lien is paid in full from the closing proceeds, pursuant to a proper payoff quote obtained prior to and good through the closing date; or
- b. Any short payoff is approved by Respondent; and
- c. Debtor shall have ninety (90) days from entry of the Order to sell the Real Property.

/s/ Andrew Spivack
Andrew Spivack
(Bar No. 84439)
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CERTIFICATE OF SERVICE

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I, the undersigned, hereby certify that a true and exact copy of Response to Debtor's Expedited Motion For Authority to Sell Real Property has been electronically served or mailed, postage prepaid on this day to the following:

NILAM V PATEL
6035 SNAPDRAGON CT
BENSALEM, PA 19020

Brad J. Sadek, Debtor's Attorney
1315 Walnut Street, Suite 502
Philadelphia, PA 19107

Kenneth E. West, Bankruptcy Trustee
Chapter 13 Trustee
1234 Market Street - Suite 1813
Philadelphia, PA 19107

United States Trustee, US Trustee
200 Chestnut Street
Suite 502
Philadelphia, PA 19106
USTPRegion03.PH.ECF@usdoj.gov

February 18, 2022

/s/ Andrew Spivack

Andrew Spivack

(Bar No. 84439)

Attorney for Creditor

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